

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

For use of this form, see AR 190-45; the proponent agency is the Office of the Provost Marshal General.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

ROUTINE USES: The Routine Uses that appear at the beginning of the Army's A0190-45 OPMG, Military Police Reporting Program Records (MPRP) system of record notice may apply to this system.

DISCLOSURE: Voluntary, although without the SSN collection, law enforcement records could not be accurately retrieved and the probability of misidentifying an individual would increase significantly.

1. CONTROL INFORMATION

Thru: Commander, 173rd Airborne Brigade APO AE 09354	USACRC Number: 013830	
	MP Report Number: 00071-2010-CID369	
To: Commander, 1/503rd Airborne Infantry Battalion APO AE, 09354	Sub-Installation: AF09354DC	
	Referral Date: 2010/06/07	Suspense Date: 2010/07/22
Referred By: (b)(6) (b)(7)(C) (b)(3)		

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block 1) for all cases referred to commanders. "Sub-Installation" (Block 1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. OFFENDER INFORMATION

Last Name: HIGGINS	Cadency:	
First Name: David	Grade: E5	
Middle Name: Lawrence	SSN or ID Number: (b)(6) (b)(7)(C) (b)(3)	Date of Birth:

3. REFERRAL INFORMATION

No.	Offense	Basis	Date	Commander Decision Date: 2010/06/07	
1	Murder [5H1A]	UCMJ	2010/03/23	Sexual Harassment: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Action Taken: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
				Reason: Accepted	
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No	Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No
				Reason:	
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No	Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No
				Reason:	
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No	Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No
				Reason:	

3. REFERRAL INFORMATION (Continued)				
No.	Offense	Basis	Date	Commander Decision Date: 2010/06/07
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Reason:
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Reason:
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Reason:
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Reason:
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Reason:
				Sexual Harassment: <input type="checkbox"/> Yes <input type="checkbox"/> No Action Taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Reason:

NOTE: For each Offense marked "NO" for "Action Taken", you must supply a Reason.

If "Action Taken" is "Yes" for any Offense, continue to Block 4 and choose the highest level. If you selected "Action Taken" "No" for ALL Offenses, go directly to "Commander's Remarks" (Block 10a) to expand on your Reasons, then sign, date and return the form to the agent specified in "Referred By" (Block 1).

4. ACTION TAKEN	
<input type="checkbox"/> Administrative Non-Adverse Referrals Adverse Personnel Actions	<input type="checkbox"/> Non-Judicial (Article 15) (see details below)
<input checked="" type="checkbox"/> Judicial Court Martial or Civilian Criminal Court	
Non-Judicial Punishment Authority (select one): <input type="checkbox"/> Summarized <input type="checkbox"/> GCMCA Imposed <input type="checkbox"/> Company Grade <input type="checkbox"/> General Officer Imposed <input type="checkbox"/> Field Grade <input type="checkbox"/> Principal Assistant	
Judicial Punishment Authority (select one): <input type="checkbox"/> Summary Court Martial <input checked="" type="checkbox"/> General Court Martial <input type="checkbox"/> Civilian Criminal/Magistrate <input type="checkbox"/> Special Court Martial Jurisdiction: If Other:	

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome				
No.	Charged Offense	Plea	Finding Offense	Trial/NJP Finding
1	Murder [5H1A]	Not Guilty	Murder [5H1A]	Not Guilty

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion **TRIAL/NJP FINDING:** DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (Continued)				
No.	Charged Offense	Plea	Finding Offense	Trial/NJP Finding

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion **TRIAL/NJP FINDING:** DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. ADMINISTRATIVE ACTIONS								
Non-Adverse:				Adverse:				
Agency	Date Referred	Date Responded	Date Imposed	Type of Action	Oral	Written Local	Written OMPF	
Family Advocacy				Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug/Alcohol Abuse				Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Referral				Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Equal Opportunity				Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Office								
Mental Health								
Relief Agency								
Adverse:								
Date Imposed		Description						
		Withholding of Privileges						
		Adverse Performance Evaluation (OER/NCOER/Academic Report)						
		Relief for Cause (OER/NCOER)						
		Mandatory Reassignment						
		Transfer (such as rehabilitative)						
		Adverse Record Entry - Flag						
		Bar to Reenlistment						
		Withholding of Promotion						
		Delay of Promotion						
		Promotion Revocation						
		Clearance Revocation						
		Control Roster (downgrade of clearance, PRP reclassification)						
		Resignation						
		Retirement						
		Retirement at Lower Grade		From:			To:	
		Transfer to Inactive Reserve						
		Military Occupational Specialty Reclassification						
		Civilian Debarment		Duration:	<input type="checkbox"/>	Days	<input type="checkbox"/>	Months
					<input type="checkbox"/>	Years	<input type="checkbox"/>	Life

6. ADMINISTRATIVE ACTIONS (Continued)									
Adverse: (Continued)									
Date Imposed	Description								
	Civilian Job Termination								
	Civilian Job Suspension	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	
	Civilian Leave Without Pay	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	
	Loss of Warrant								
	Voluntary Disclosure								
	Restitution (to US Government)	Amount US\$:							
	Restitution (to third party Non-US Government)	Amount US\$:							
	Civil-Civil Action Initiation								
	Other (return to States, etc.)								
	Contract Suspension	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	
	Contract Termination								
	Cost Adjustment	Amount US\$:							
	Bid Rejection								
	Recoupment	Amount US\$:							
	Denial of Continuation								
	Other Contract Action								
7. DETAILS OF ADMINISTRATIVE SEPARATION									
Date Imposed:		Regulation:			Chapter:				
Characterization:							Effective Date:		
NOTE: Proceed to Commander's Remarks (Block 10a) if you chose Administrative Action in Block 6 or 7.									
8. NON-JUDICIAL/JUDICIAL SANCTIONS									
Date Adjudged	Sanction								
	Fine	Amount US\$:							
2010/09/10	Forfeiture	Amount US\$: 1000.00	Duration: 3	<input type="text"/>	Days	<input checked="" type="checkbox"/>	Months		
2010/09/10	Extra Duty	Days: 90							
	Restriction	Days:							
	Correctional Custody	Days:							
	Confinement	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/> Life
	Bad Conduct Discharge	Effective Date:							
	Dishonorable Discharge	Effective Date:							
2010/09/10	Reduction in Grade	From: E-5	To: E-3						
	Probation	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	
	Special Assignment	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	
	Total Forfeiture (all pay/allowance)	Duration:	<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/> Life
	Death Sentence								
	Civil Recovery	Amount US\$:							
	Civil Award	Amount US\$:							
	Dismissal (Officer Only)	Effective Date:							
	Domestic Violence	Yes:	<input type="text"/>	No:	<input type="text"/>				
	Prohibited From Firearm Possession/Use IAW 18 U.S. Code Section 922(g)	Yes:	<input type="text"/>	No:	<input type="text"/>				

9.	SUSPENDED SANCTIONS													
Were Any Sanctions Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														
NOTE: If no sanctions were suspended, proceed to "Commander's Remarks" (Block 10a).														
Suspended Sanction	Suspended Sanction Information													
Fine	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion US\$:													
	Suspension Conditions:													
Forfeiture	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion US\$:		Suspended Portion Time:		<input type="text"/>	Days	<input type="text"/>	Months						
	Suspension Conditions:													
Extra Duty	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days	<input type="text"/>	Months								
	Suspension Conditions:													
Restriction	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days										
	Suspension Conditions:													
Correctional Custody	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days										
	Suspension Conditions:													
Confinement	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life				
	Suspension Conditions:													
Reduction in Grade	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspension Conditions:													
Probation	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined		
	Suspension Conditions:													
Special Assignment	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days	<input type="text"/>	Months								
	Suspension Conditions:													
Total Forfeiture	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion Time:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life				
	Suspension Conditions:													
Civil Recovery	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion US\$:													
	Suspension Conditions:													
Civil Award	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life	<input type="text"/>	Undetermined
	Suspended Portion US\$:													
	Suspension Conditions:													
Administrative Separation	Date Suspended:		Suspension Duration:		<input type="text"/>	Days	<input type="text"/>	Months	<input type="text"/>	Years	<input type="text"/>	Life		
	Suspension Conditions:													

10a.

Commander's Remarks

Soldier found guilty trial by General Court-Martial of unlawfully killing Ghulam Qadir, by negligently shooting the said Ghulam Qadir in the neck with an M4 carbine service rifle. Soldier reduced to the grade of Private First Class; to forfeit \$1,000.00 pay per month for three (3) months; and to perform hard labor without confinement for 90 days.

Checked box indicates that Commander's Remarks continue on the following page. ☐

COMMANDING OFFICER OR REPORTING OFFICER

Is the offender?

☐

Yes

☒

No

(b)(6) (b)(7)(C) (b)(3)

Grade:

(b)(6) (b)(7)(C) (b)(3)

Signature Date:

2010/09/10

